

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services hereby amends Chapter 77, “Conditions of Participation for Providers of Medical and Remedial Care,” Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” and Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code.

These amendments reflect the new accreditation standards in rule 441—24.21(225C) for crisis response services. Iowa Medicaid currently covers crisis response services; however, these amendments will clarify services covered and provide standards for operation for Medicaid crisis response service providers.

These amendments also establish the process by which the Department of Human Services’ Iowa Medicaid Enterprise (IME) will enroll and reimburse qualified subacute mental health facility providers.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 3439C** on November 8, 2017. The Department received no comments during the public comment period. These amendments are identical to those published under Notice of Intended Action, except that a sentence has been added at the end of each of the new rules to cite the Iowa Code section implemented by the rules.

The Council on Human Services adopted these amendments on December 13, 2017.

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 249A.4.

These amendments will become effective February 7, 2018.

The following amendments are adopted.

ITEM 1. Adopt the following **new** rule 441—77.55(249A):

441—77.55(249A) Crisis response services.

77.55(1) Definitions. The terms used in this rule shall have the same meaning as set out in 441—Chapter 24, Division II.

77.55(2) Eligible providers. Agencies which are accredited under the mental health service provider standards established by the mental health and disability services commission, set forth in 441—Chapter 24, Division II, are eligible to participate in the program by providing crisis response services, crisis stabilization community-based services, and crisis stabilization residential services.

77.55(3) Provider standards. All providers of crisis response services, crisis stabilization community-based services, and crisis stabilization residential services shall meet the standards criteria as set forth in 441—Chapter 24, Division II.

This rule is intended to implement Iowa Code section 249A.4.

ITEM 2. Adopt the following **new** rule 441—77.56(249A):

441—77.56(249A) Subacute mental health services.

77.56(1) Definitions. The terms used in this rule shall have the same meaning as set out in Iowa Code section 135G.1.

77.56(2) Subacute mental health services. Subacute mental health services are intended to be short-term, intensive, recovery-oriented services designed to stabilize an individual who is experiencing a decreased level of functioning due to a mental health condition.

77.56(3) Eligible provider. Subacute mental health care facilities which are licensed by the department of inspections and appeals in accordance with 481—Chapter 71 are eligible to participate in the program by providing subacute mental health services.

77.56(4) Provider standards. All providers of subacute mental health services shall meet the standards criteria as set forth in 481—Chapter 71.

This rule is intended to implement Iowa Code section 249A.4.

ITEM 3. Adopt the following new rule 441—78.60(249A):

441—78.60(249A) Crisis response services. Payment will be made to providers (eligible pursuant to rule 441—77.55(249A)) of crisis response services, crisis stabilization community-based services, and crisis stabilization residential services delivered as set forth in 441—Chapter 24, Division II.

This rule is intended to implement Iowa Code section 249A.4.

ITEM 4. Adopt the following new rule 441—78.61(249A):

441—78.61(249A) Subacute mental health services. Payment will be made to providers (eligible pursuant to rule 441—77.56(249A)) for the provision of subacute mental health care facility services that meet the standards outlined in 481—Chapter 71.

This rule is intended to implement Iowa Code section 249A.4.

ITEM 5. Adopt the following new provider categories in subrule **79.1(2)**:

<u>Provider category</u>	<u>Basis of reimbursement</u>	<u>Upper limit</u>
Crisis response services	Fee schedule	Fee schedule in effect 2/1/18.
Crisis stabilization community-based services	Fee schedule	Fee schedule in effect 2/1/18.
Crisis stabilization residential services	Fee schedule	Fee schedule in effect 2/1/18.
Subacute mental health facility	Fee schedule	Fee schedule in effect 2/1/18.

ITEM 6. Adopt the following new subparagraph **79.3(2)“d”(44)**:

(44) Crisis response services, crisis stabilization community-based services and crisis stabilization residential services.

1. Physician orders or court orders.
2. Independent assessment.
3. Individual treatment plan.
4. Service notes or narratives (history and physical, therapy records, discharge summary).
5. Medication administration records (residential services).

ITEM 7. Adopt the following new subparagraph **79.3(2)“d”(45)**:

(45) Subacute mental health services.

1. Assessment.
2. Individual stabilization plan.
3. Service notes or narratives (history and physical, therapy records, discharge summary).
4. Medication administration records (residential services).

[Filed 12/13/17, effective 2/7/18]

[Published 1/3/18]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 1/3/18.